

TUESDAY, APRIL 25, 1898.

Senate met pursuant to adjournment.

The President in the chair.

The roll being called the following Senators answered to their names:

Mr. President,	Crosby,	McCreary,
Messrs. Baker,	Denham,	McLin,
Blitch,	Dimick,	O'Brien,
Broome,	Gaillard,	Palmer of 14th,
Bynum,	Harris,	Roberts,
Carson,	Hendley,	Sams,
Chaires,	Hooker,	Wadsworth,
Crill,	McCaskill,	Wilson.

Answering roll call—26.

A quorum present.

Prayer by the Chaplain.

On motion the reading of the Journal was dispensed with.

The Journal was corrected and approved.

Mr. Harris requested the following memorial be spread upon the Journal.

Memorial to the Legislature of the State of Florida from the Florida Medical Association, Session of 1899:

Florida Medical Association,
Jacksonville, Fla., April 20, 1899.

The undersigned committee, having been appointed at the recent meeting of the Florida Medical Association to call attention to the increase of tubercular diseases, and, more especially, that form known as pulmonary consumption, and to suggest some legislation against the further spreading of this disease in the State of Florida; respectfully submit the following as a reasonable view of the matter and the suggestions for its prevention timely and in accord with modern medical knowledge:

First—Tuberculosis (especially pulmonary consumption) is, and should be, classed with infectious and contagious diseases.

Second—Its spread is by contact, as in kissing, or in the contact of persons sleeping in the same bed, or talking face to face, by the pus from tubercular abscesses coming in contact with abraded surfaces of healthy individuals, by sputum also.

in the same manner, and by what is worse, the expectoration of tubercular pus into the streets, in public houses, public conveyances, etc.

Third—It is known that at this time 20 per cent. of the population of this country is tuberculous and that the percentage is gradually increasing so that it is appalling to consider the consequences of unrestricted spreading.

Fourth—We are live to the fact that all laws tending to regulate or abridge the rights of the individual are at first unpopular, nevertheless we deem it our duty as public servants to cry aloud in this manner and suggest that the Legislature now in session pass an amendment to the State Health Laws giving to the cities and towns of the State power to regulate the conduct of persons known to be suffering with pulmonary consumption.

An Act to prevent the spreading of tuberculosis in the State of Florida:

Article I. It shall be unlawful for any person known to have pulmonary tuberculosis to spit or expectorate on any street, lane, sidewalks or public park, upon the floors or walls of any hotels, or public house, upon the floors or furniture of any public vehicle, railroad carriages of all kinds and street cars included.

Article II. It shall be the duty of all hotel and boarding house keepers to promptly disinfect any and all rooms that have been occupied by consumptives, using some method that shall be satisfactory to the State Health Officer.

Article IV. It shall be obligatory on all physicians to indicate to patients of this class, or to their near friends, the true nature of their disease and their danger to others and incidentally to the public health.

Article V. To provide certain fines and punishment for the violation of these regulations.

Respectfully submitted,

W. L. HUGHLETT, M. D.,

R. L. HARRIS, M. D.,

JOSEPH Y. PORTER, M. D.

Committee Florida Medical Association, Session 1899.
The request of Mr. Harris was granted.

INTRODUCTION OF BILLS.

By Mr. Baker (by request):

Senate Bill No. 136:

A bill to be entitled an act for the relief of the estate of John F. Dunn upon the suretyship of said Dunn on the bond of C. B. Collins as State Treasurer.

Which was read the first time by its title and referred to the Committee on Claims.

By Mr. Blitch:

Senate Bill No. 137:

A bill to be entitled an act to incorporate the Camp Phosphate Company.

Which was read the first time by its title and referred to the Committee on Corporations.

By Mr. Barber:

Senate Bill No. 138:

A bill to be entitled an act to provide for the filing in the office of the Secretary of State a correct printed copy of the proceedings of the Senate and House of Representatives as approved each day during any session of the Legislature in lieu of the record of the proceedings as heretofore required by the Senate and House separately, to be prepared by Recording Clerks.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Harris:

Senate Bill No. 139:

A bill to be entitled an act to extend the time for commencing the work of construction of the DeSoto, Lee and Gulf Railroad Company, Chapter 4467, No. 146, Laws of Florida, approved May 30, 1895.

Which was read the first time by its title and referred to the Committee on Railroads.

By Mr. Palmer of 11th:

Senate Bill No. 140:

A bill to be entitled an act to provide for the opening, grading, paving, curbing and otherwise improving the streets, parks, sidewalks and other public places in the City of Tampa; the construction of sewers therein; the repair and maintenance thereof and for assessments against the abutting property for such improvements, including such as may have been com-

pleted or may now be in process of construction, and the enforcement and collection thereof.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Palmer of 11th:

Senate Bill No. 141:

A bill to be entitled an act to authorize and empower counties, cities, towns and other municipal corporations to issue negotiable coupon bonds for the refunding or payment in whole or in part of existing indebtedness.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Palmer of 11th:

Senate Bill No. 142:

A bill to be entitled an act to amend Section 2854 of the Revised Statutes of the State of Florida, specifying the number of jurors in civil and criminal cases.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Blitch:

Senate Bill No. 143:

A bill to be entitled an act to amend Section 1, of Chapter 4390, Acts of 1895, Laws of Florida, inreference to the care of convicts.

Which was read the first time by its title and referred to the Committee on State Affairs.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 24, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—I am directed by the House of Representatives to inform the Senate that the House of Representatives has appointed the following special committees:

Resolution No. 1.—By Mr. Healy:

To investigate the offices of Comptroller and Treasurer:
Messrs. Healy of Volusia, Watson of Osceola, Wainwright of Lake.

Resolution No. 3—By Mr. Hunter of Hamilton:

To investigate the office of the Commissioner of Agriculture:

Messrs. Hunter of Hamilton, Whitner of Orange, Hill of Bradford.

Resolution No. 2—By Mr. Palmer of Orange:

Keeping Journals of each House:

Messrs. Palmer of Orange, Raney of Leon, Walker of Wakulla.

Resolution relative to the Invitation to the Cadets of the Agricultural College at Lake City, Fla.:

Messrs. Persons of Columbia, Hilliard of Escambia, McKeown of Gadsden, Sloan of Polk, Patillo of Volusia.

Committee Deaf and Dumb Asylum and East Coast Canal Company—Messrs. Harp of Putnam, Whitner of Orange.

Committee Lake City, Gainesville and Bartow Schools—Messrs. Persons of Columbia, King of DeSoto.

Committee Insane Asylum and DeFuniak Schools—Messrs. Griggs of Franklin, Parrish of Holmes.

Committee to visit the Convict Camps—Messrs. Jackson of Citrus, Jordan of Madison.

Committee to visit Normal School, Tallahassee—Messrs. Patillo of Volusia, McMullen of Hillsborough.

To investigate the acts and doings of the Railroad Commission—Messrs. Bradshaw of Hamilton, and McGiffin of Nassau.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Chaires moved that the Secretary inform the House of Representatives that the Senate amendment to House Concurrent Resolution No. 3 is still pending in that body, and the appointment of a committee by the House was premature.

Which was adopted and the Secretary so informed the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 22, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

House Concurrent Resolution and Memorial No. 50:

House Concurrent Resolution and Memorial to the Congress of the United States, asking for amendments to the Interstate Commerce Commission Law.

Be it Resolved, by the House of Representatives, the Senate concurring, That our Senators and Representatives in the Congress of the United States be and they are hereby urgently requested to use their best efforts for the procuring the immediate passage by Congress of such legislation as will effectually prohibit the transportation evils and abuses described in the Annual Report of the Interstate Commerce Commission for the years 1890 to 1898 inclusive and to this end their especial attention and efforts are called to the recommendations for legislation contained in the 10th, 11th and 12th Annual Reports of said Commission.

Resolved, That a copy of this memorial and resolution be furnished by the Secretary of State to each of our Senators and Representatives in Congress.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Concurrent Resolution No. 50, contained in the above message, was read the first time by its title and laid over under the rules.

REPORTS OF COMMITTEES.

Mr. O'Brien, Chairman of the Committee on Commerce and Navigation, submitted the following report:

Senate Chamber.

Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Commerce and Navigation, to whom was referred—

Senate Bill No. 135:

A bill to be entitled an act authorizing the construction of bridges for private use by persons or corporations across the Withlacoochee and Wekiva rivers.

Beg leave to report that they have given the same careful consideration and recommend that it do pass.

Very respectfully,

J. ED. O'BRIEN,

Chairman of Committee.

Which was read.

Mr. Baker moved that the rules be waived, and that Senate Bill No. 135 be taken up and now considered.

Which was agreed to by a two-thirds vote.

And

Senate Bill No. 135:

A bill to be entitled an act authorizing the construction of bridges for private use by persons or corporations across the Withlacoochee and Wekiva rivers.

Was taken up and read a second time in full.

Mr. Baker moved that the rules be waived and that Senate Bill No. 135 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 135 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Mr. President,	Crill,	McCreary,
Messrs—	Crosby,	McLin,
Baker,	Denham,	O'Brien,
Barber,	Dimick,	Palmer of 14th,
Blitch,	Gaillard,	Palmer of 11th,
Broome,	Harris,	Roberts,
Bynum,	Hendley,	Sams,
Carson,	Hooker,	Wadsworth,
Chaires,	McCaskill,	Wilson—26.

Nays—None.

So the bill passed, title as stated.

Mr. Baker moved that the rules be waived and that Senate Bill No. 135 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 135 was so certified.

Mr. Broome, Chairman of the Committee on Railroads, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Railroads to whom was referred—
Senate Memorial No. 123:

A memorial to the Congress of the United States asking
for additional powers to be conferred on the Interstate Com-
merce Commission.

Beg leave to report that they have given the same due con-
sideration and recommend its passage.

Very respectfully,

JAMES E. BROOME,

Chairman of Committee.

Mr. Blitch moved that the rules be waived and that Senate
Memorial No. 123 be taken up and now considered.

Which was agreed to by a two-thirds vote.

And Senate Memorial No. 123 was taken up.

Mr. Blitch offered the following amendment to Senate Me-
morial No. 123:

After the word "decisions" in line 10, insert the following:

"As to rates and charges over express and telegraph, as well
as over railway companies."

Mr. Blitch moved the adoption of the amendment.

Which was agreed to.

And Senate Memorial No. 123, as amended, was ordered re-
ferred to Committee on Engrossed bills.

Mr. Blitch moved that the reports of committees be spread
on the Journal, and the bills therein contained take their
proper place on the Calendar.

Which was agreed to.

Mr. Myers, Chairman of the Committee on Judiciary, sub-
mitted the following report:

Senate Chamber,

Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Judiciary, to whom was re-
ferred—

Senate Bill No. 132:

A bill to be entitled an act to amend Chapter 4337 of the
Acts of the Legislature of Florida, approved June 1, 1895,

relating to the levying and collection of taxes for the support of schools in sub-districts.

Beg leave to report that they have carefully examined the same and would recommend that it be amended as follows:

Strike out the title and insert the following in lieu thereof:

A bill to be entitled an act to amend "An act to amend Section 3, Chapter 4194, Laws of Florida, entitled an act to provide for school sub-districts in counties and towns and to provide for the levying and collection of taxes for the support of schools in such sub-districts, approved June 2, 1893, being Chapter 4337 of the Laws of Florida, approved June 1, 1895.

Insert after the title the following:

Be it enacted by the Legislature of the State of Florida.

In line 1 Section 1, strike out "Chap" and insert "Chapter." After the figures "4337" in line 1, Section 1, insert "of the Laws of Florida."

And as thus amended that it do pass.

Very respectfully,

FRED T. MYERS,

Chairman of Committee.

And Senate Bill No. 132, contained in the above report, together with amendments, was placed on the Calendar of bills on second reading.

Mr. O'Brien, Chairman of the Committee on Commerce and Navigation, submitted the following report:

Senate Chamber

Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Commerce and Navigation, to whom was referred—

Senate Bill No. 131:

A bill to be entitled an act to amend Section 6 of an act entitled "An act to provide for the recovery of lost timber and lumber, to provide for the appointment of a public custodian of the same, and to prescribe his powers, duties and compensation, approved June 8, 1891, being Chapter 4014, Revised Statutes, Laws of Florida.

Beg leave to report that they have carefully examined and considered same and recommend that it do pass.

Very Respectfully,

J. ED. O'BRIEN,

Chairman of Committee.

And Senate Bill No. 131, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Sams, Chairman of the Committee on Militia, submitted the following report:

Senate Chamber.
Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Militia to whom was referred—

Senate Bill No. 93:

A bill to be entitled an act to provide for and encourage the organization of a corps of volunteer militia for services as a land force, and to enforce the discipline therein, and to repeal Article 2, entitled "Volunteer Militia," and Article 3, entitled "Florida State Troops," of Chapter 1 of Title VIII of First Division of the Revised Statutes of the State of Florida and Chapter 4042, Laws of Florida, entitled an "Act to amend an act to provide for and encourage the organization of a corps of volunteer militia and enforce their discipline," approved June 11, 1891, and Chapter 4169, Laws of Florida, entitled "An act to amend Section 6 of an act entitled an act to amend an act to provide for and encourage the organization of a corps of volunteer militia and to enforce their discipline, approved June 11, 1891; and to further provide for and encourage the organization and discipline of said corps," adopted June 2, 1893.

Beg to report that they have had the same under consideration and return with the following amendments:

Section 7, line 1, strike out the word "eighteen" and substitute the word "fifteen."

Section 25. Strike out all this section.

Change numbers of all other following sections so as to make them read in proper order, and as thus amended respectfully recommend that said bill do pass.

Very respectfully,

FRANK W. SAMS,

Chairman of Committee.

And Senate Bill No. 93, contained in the above report, together with committee amendments, was placed on the Calendar of bills on second reading.

Mr. McLin, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 104:

A bill to be entitled an act to amend Section 11, Chapter 4621, No. 107 of the Laws of Florida, approved June 4, 1897, entitled an act to incorporate the Sanibel Island Railway and Construction Company.

Beg leave to report that we have carefully examined the same and find it correctly engrossed.

Very respectfully,

B. E. McLIN,

Chairman of Committee.

And Senate Bill No. 104, contained in the above report, was placed on the Calendar of bills on third reading.

Mr. McLin, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Engrossed Bills to whom was referred—

Senate Bill No. 91:

A bill to be entitled an act for the protection of bicycle paths, and to provide penalties for trespass thereon.

Also,

Senate Bill No. 112:

A bill to be entitled an act to appropriate \$20,000 to be used for the payment for the buildings, fumigating plants, wharves, and other property, including boats, of the Escambia County Board of Health, and to have title to the same confirmed in the State of Florida for the use of the State Board of Health.

Also,

Senate Bill No. 81:

A bill to be entitled an act requiring owners of fences crossing public highways to construct gates, and to grade

the road approaching said gates, and providing a penalty for failure so to do.

Also,

Senate Bill No. 84:

A bill to be entitled an act to provide for the issuing of one million, thirty-two thousand, five hundred dollars of bonds for the purpose of refunding and redeeming the seven per cent. bonds issued under an act of the Legislature, passed January 26, 1891, and the six per cent. bonds issued under an act of the Legislature, approved February 21, 1873, and the manuscript bonds issued under an act of the Legislature, approved February 16, 1885.

Also,

Senate Bill No. 78:

A bill to be entitled an act to provide for Teachers' Summer Schools and to make appropriations therefor.

Have examined the same and find them correctly engrossed.

Very respectfully,

B. E. McLIN,

Chairman of Committee.

And Senate Bills Nos. 91, 112, 81, 84, and 78, contained in the above report, were placed on the Calendar of bills on third reading.

Mr. Bynum, Chairman of the Committee on City and County Organization, submitted the following report:

Senate Chamber,

Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on City and County Organization to whom was referred—

House Bill No. 36:

A bill to be entitled an act to abolish the present municipal government of the City of Lakeland, in the County of Polk, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as Lakeland, and to define its territorial boundary and to provide for its jurisdiction, powers and privileges.

Beg leave to report that they have carefully considered the same and recommend that it do pass.

Very respectfully,

J. H. T. BYNUM,

Chairman of Committee.

And House Bill No. 36, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Bynum, Chairman of the Committee on City and County Organization, submitted the following report:

Senate Chamber.

Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on City and County Organization, to whom was referred—

Senate Bill No. 108:

A bill to be entitled an act to protect log brands in this State.

Also,

House Bill No. 125:

To be entitled an act to amend Chapter 4065 (No. 56), Laws of Florida, Acts 1891, entitled an act to keep in repair all public roads and bridges and to open new roads in the County of Orange and State of Florida.

Beg leave to report that they have carefully considered the same and recommend that they do pass.

Very respectfully,

J. H. T. BYNUM,

Chairman of Committee.

And Senate Bill No. 108 and House Bill No. 125, contained in the above report, were placed on the Calendar of bills on second reading.

Mr. Gaillard, Chairman of the Committee on Canals and Telegraph, submitted the following report:

Senate Chamber,

Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Canals and Telegraph, to whom was referred—

Senate Bill No. 120.

A bill to be entitled an act to extend the time for commencement of work of the Etowah Canal and Drainage Company.

Beg leave to report that they have examined the same and recommend that it do pass.

Very Respectfully,

H. GAILLARD,

Chairman of Committee.

And Senate Bill No. 120, contained in the above report was placed on the Calendar of bills on second reading.

Mr. Dimick, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., April 21, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to provide for working, repairing and maintaining the public roads and bridges in Levy County by contract and to provide penalties for failure thereof.

Beg leave to report that they have examined the same and find it correctly enrolled.

Very Respectfully,

E. N. DIMICK,

Chairman of Committee.

The act contained in the above report was ordered referred to the Joint Committee on Enrolled Bills, to be conveyed to the House of Representatives for the signature of the Speaker and Chief Clerk thereof.

Mr. Dimick, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

A memorial to our Senators and Representatives in Congress in reference to a duty on Egyptian or Long Staple Cotton, or the importation thereof.

Also,

A memorial to Congress asking that the County of Levy, State of Florida, be changed from the Northern Federal Judicial District to the Southern Federal Judicial District.

Also,

An act to provide for working, repairing and maintaining the public roads and bridges in Levy County by contract and to provide penalties for failure thereof.

Beg leave to report that the same have been presented to the House of Representatives for the signatures of the Speaker and Chief Clerk thereof.

Very Respectfully,

E. N. DIMICK,

Chairman of Committee.

Mr. Dimick, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

A memorial to our Senators and Representatives in Congress in reference to a duty on Egyptian or Long Staple Cotton, or the importation thereof.

Also,

A memorial to Congress asking that the County of Levy, State of Florida, be changed from the Northern Federal Judicial District to the Southern Federal Judicial District.

Also,

An act to provide for working, repairing and maintaining the public roads and bridges in Levy County by contract and to provide penalties for failure thereof.

Beg to report that the same have received the signatures of the Speaker and Chief Clerk of the House of Representatives, and are respectfully presented to the Senate for the signatures of the President and Secretary thereof.

Very Respectfully,

E. N. DIMICK,

Chairman of Committee.

ENROLLED.

The President announced that he was about to sign—

Memorial to our Senators and Representatives in Congress in reference to a duty on Egyptian, or Long Staple Cotton, or the importation thereof.

Also,

Memorial to Congress asking that the County of Levy, State of Florida, be changed from the Northern Federal Judicial District to the Southern Federal Judicial District.

An act to provide for working, repairing and maintaining the public roads and bridges in Levy County by contract and to provide penalties for failure thereof.

Also,

The act and memorials were therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Mr. Dimick, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 25, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

A memorial to our Senators and Representatives in Congress in reference to a duty on Egyptian or Long Staple Cotton, or the importation thereof.

Also,

A memorial to Congress asking that the County of Levy, State of Florida, be changed from the Northern Federal Judicial District to the Southern Federal Judicial District.

Also,

An act to provide for working, repairing and maintaining the public roads and bridges in Levy County by contract and to provide penalties for failure thereof.

Beg to report that the same have been presented to the Governor for his approval.

Very Respectfully,

E. N. DIMICK,
Chairman of Committee.

A message was received from the House of Representatives.

BILLS ON SECOND READING.

Senate Bill No. 107:

A bill to be entitled an act to amend Section 2169, of the Revised Statutes of Florida, in relation to State Banks, regulating capital stock and par value of shares.

Was taken up and read the second time in full.

And Senate Bill No. 107 was ordered referred to the Committee on Engrossed Bills.

House Bill No. 35:

A bill to be entitled an act authorizing levy of executions on judgments of County Courts upon real estate.

Was taken up and read the second time.

And House Bill No. 35 was ordered placed on Calendar of bills on third reading.

House Bill No. 95:

A bill to be entitled an act to fix a penalty for willful, malicious and unlawful injuries to dams.

Was taken up and read the second time in full.

Mr. Palmer of 11th, offered the following amendment to House Bill No. 95.

Strike out the words "in any stream in, or" in the second line of Section 1, and insert in lieu thereof the following: "Lawfully placed in or on any stream in this State for the purpose of propelling any kind of machinery."

Mr. Palmer of 11th, moved the adoption of the amendment.

Which was agreed to.

And House Bill No. 95, as amended, was placed on Calendar of bills on third reading.

Senate Bill No. 115:

A bill to be entitled an act to amend Section 2, Chapter 4120, of the Laws of Florida, being an act to prescribe the compensation to be paid jurors and witnesses serving in the courts of this State, approved May 3, 1893.

Was taken up.

Mr. Chaires asked to be allowed to withdraw Senate Bill No. 115.

Which was granted

And Senate Bill No. 115 was withdrawn.

Senate Bill No. 121:

A bill to be entitled an act defining the right of drawing and preparing wills and letters testamentary.

Was taken up and read a second time in full, together with the committee substitute therefor.

Mr. Bynum moved the adoption of the committee substitute for Senate Bill No. 121.

Which was agreed to.

And committee substitute for Senate Bill No. 121 was ordered referred to Committee on Engrossed Bills.

House Bill No. 57:

To be entitled an act to require in the discretion of the trial courts the injured party in litigated personal damage cases to submit to a physical examination relating to his or her condition at the time of trial and the nature and extent of the injuries sued for and to provide for the appointment of examining physicians or experts and the fixing of their compensation and its taxation as a part of the costs of the case.

Was taken up together with the following amendment of the Judiciary Committee.

In Section 2, line 2, strike out the words "the physician or physicians to be named by the defendant," and insert in lieu thereof the words, "a physician to be named by the Court."

And strike out all of Section 2, after the word "present" in line 4.

In Section 3, line 1, strike out the words, "Physicians or experts" and insert in lieu thereof, the word "physician."

And amend the title by striking out the words, "of examining physicians or experts and the fixing of their" and insert in lieu thereof the words "by the Court of an examining physician, and the fixing of his."

Mr. Myers moved that House Bill No. 57, together with committee amendments, be laid over until tomorrow, under orders of the day.

Which was agreed to.

Senate Bill No. 125:

A bill to be entitled an act for the relief of Chas. W. Smith, W. J. Linhart, and John C. Jeffcott, members of the Florida Naval Militia, for services rendered and expenses incurred during the late war with Spain.

Was taken up and read the second time in full.

And Senate Bill No. 125, was ordered referred to the Committee on Engrossed Bills.

The President laid before the Senate the following communication:

Tallahassee, Fla., April 25, 1898.

To Hon. Frank Adams,

President of the Senate:

Dear Sir—The Ladies of the Memorial Association wish to tender you, and through you, to the Senate of the State of Florida, an invitation to attend the Memorial services to be held at the cemetery on Wednesday, April 26th, at 5 o'clock P. M.

We also invite you to meet with the Confederate Veterans at the Armory from 6 to 10 o'clock, on April 26, when refreshments will be served.

Very respectfully, yours,

ANGELICA ELIZABETH GAMBLE,

President Memorial Association.

April 25, 1898.

Which was read.

The President stated that he had been informed that Hon. James E. Broome, of the Senate would be the orator of the day at the Memorial exercises to-morrow.

Mr. Baker moved that the invitation be accepted.

Which was agreed to.

Consideration of bills on second reading was resumed.

Senate Bill No. 113:

A bill to be entitled an act to provide for the issuing of life certificates of the first grade to teachers in the public schools of Florida under certain conditions.

Was taken up and read the second time in full.

And Senate Bill No. 113 was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 119:

A bill to be entitled an act to incorporate the West Florida and Gulf Railroad Company.

Was taken up and read the second time in full.

And Senate Bill No. 119 was ordered referred to the Committee on Engrossed Bills.

House Bill No. 36:

To be entitled an act to abolish the present municipal government of the City of Lakeland, in the County of Polk and State of Florida, and to establish, organize and constitute a municipality to be known and designated as Lakeland, and to define its territorial boundary, and to provide for its jurisdiction, powers and privileges.

Was taken up.

Mr. Hooker moved that the rules be waived and House Bill No. 36 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 36 was read a second time by its title and placed on the Calendar of bills on third reading.

Senate Bill No. 131:

A bill to be entitled an act to amend Section 6 of an act entitled "An act to provide for the recovery of lost timber and lumber, to provide for the appointment of a public custodian of the same, and to prescribe his powers, duties and compensation," approved June 8, 1891, being Chapter 4044, Revised Statutes, Laws of Florida.

Was taken up and read a second time in full.

And Senate Bill No. 131 was ordered referred to the Committee on Engrossed Bills.

Mr. Palmer of 11th moved that the rules be waived and that the Senate now consider bills on third reading.

Which was agreed to by a two-thirds vote.

And the Senate proceeded to consider—

BILLS ON THIRD READING.

Senate Bill No. 42:

A bill to be entitled an act for the relief of the Wrought Iron Range Company

Was taken up and read the third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—Mr. President,

Messrs. Baker,	Crill,	O'Brien,
Barber,	Crosby,	Roberts,
Blitch,	Harris,	Sams,
Broome,	Hooker,	Wadsworth,
Bynum,	McCaskill,	Wilson—20.
Carson,	McLin,	
Chaires,	Myers,	

Nays— McCreary, Palmer—2.

So the bill passed, title as stated.

Senate Bill No. 18:

A bill to be entitled an act relating to persons convicted in Municipal Courts, and their employment upon streets and public works of municipalities.

Was taken up and read the third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—Mr. President,

Messrs. Baker,	Crill,	Myers,
Barber,	Crosby,	O'Brien,
Blitch,	Gaillard,	Palmer of 14th,
Broome,	Harris,	Roberts,
Bynum,	Hooker,	Sams,
Carson,	McCaskill,	Wadsworth,
Chaires,	McLin,	Wilson—22.

Nays—None.

And the bill passed, title as stated.

Mr. Harris moved that the rules be waived and that Senate Bill No. 18 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 18 was so certified.

Senate Joint Resolution No. 45:

A Joint Resolution proposing an amendment to Section 8, Article 5, of the Constitution of the State of Florida, relating to the election of Circuit Judges.

Was taken up and read the third time in full.

Upon call of the roll on the passage of Senate Joint Resolution No. 45,

The vote was:

Yeas—

Mr. President,	Denham,	O'Brien,
Messrs. Baker,	Harris,	Palmer of 14th,
Barber,	Hendley,	Roberts,
Blitch,	McCaskill,	Wadsworth.
Broome,	McCreary,	
Bynum,	McLin,	

Nays—Messrs—	Crosby,	Myers,
Carson,	Dimick,	Sams,
Chaires,	Gaillard,	Wilson—10.
Crill,	Hooker,	

So Senate Joint Resolution No. 45, not receiving the constitutional majority of three-fifths of all the members elected to the Senate, failed to pass.

Mr. Carson moved that the rules be waived and the Senate recur to bills on second reading.

Which was agreed to by a two-thirds vote and

House Bill No. 125:

To be entitled an act to amend Chapter 4065 (No. 56), Laws of Florida, Acts 1891, entitled an act to keep in repair all public roads and bridges and to open new roads in the County of Orange and State of Florida.

Was taken up.

Mr. Carson moved that the rules be waived and House Bill No. 125 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 125 was read by its title only.

Mr. Carson offered the following amendment to House Bill No. 125.

Strike out all of Section 2, after and including the words "provided," in line 12, of Section 2 of said act, and insert in lieu thereof the following:

"Provided, however, that one half of the amount realized from said special tax on property in incorporated cities or towns shall be turned over to the municipal authorities of said cities or towns to be used in the repairing, working and improving and laying out the streets thereof as may be prescribed by the ordinances of said cities or towns."

Mr. Carson moved the adoption of the amendment.

Which was agreed to.

And House Bill No. 125, as amended, was placed on Calendar of bills on third reading.

The Senate recurred to bills on third reading.

House Memorial to Congress No. 41:

Asking that pensions be granted to the survivors of the Indian wars in Florida from 1842 to 1858, and the widows of those who have died.

Was taken up and read the third time in full.

Upon call of the roll on the passage of House Memorial No. 41,

The vote was:

Yeas—

Mr. President,	Crosby,	Myers,
Messrs. Baker,	Denham,	Palmer of 14th,
Barber,	Gaillard,	Roberts,
Blitch,	Harris,	Sams,
Bynum,	Hooker,	Wadsworth,
Carson,	McCaskill,	Wilson—32.
Chaires,	McCreary,	
Crill,	McLin,	

Nays—None.

So House Memorial No. 41 passed, title as stated.

House Bill No. 55:

To be entitled an act making appropriations for military expenses incurred by the State during the war with Spain.

Was taken up and read the third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

Mr. President,	Crosby,	Myers,
Messrs.—	Dimick,	Palmer of 14th,
Barber,	Gaillard,	Roberts,
Blitch,	Harris,	Sams,
Bynum,	Hooker,	Wadsworth,
Carson,	McCaskill,	Wilson—21.
Chaires,	McCreary,	
Crill,	McLin,	

Nays—None.

So the bill passed, title as stated.

House Bill No. 19:

To be entitled an act permitting parties to suits or their attorneys to examine jurors on their Voir Dire.

Was taken up and read the third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

Mr. President,	Denham,	McLin,
Messrs Barber,	Dimick,	Myers,
Blitch,	Gaillard,	Palmer of 14th,
Bynum,	Harris,	Roberts,
Carson,	Hooker,	Sams,
Crill,	McCaskill,	Wadsworth,
Crosby,	McCreary,	Wilson—21.

Nays—None.

So the bill passed, title as stated.

House Bill No. 27:

To be entitled an act to amend Section 1 of Chapter 4382, Laws of Florida, being an act to increase the criminal jurisdiction of Justices of the Peace in counties where County Courts have not been established.

Was taken up.

Mr. McCreary moved that House Bill No. 27 be laid on the table subject to call.

Which was agreed to.

Senate Bill No. 50:

A bill to be entitled an act to increase the criminal jurisdiction of Justices of the Peace.

Was taken up and read the third time in full

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—	Crosby,	O'Brien,
Mr. President,	Dimick,	Palmer of 14th,
Messrs—	Gaillard,	Palmer of 11th,
Baker,	Harris,	Roberts,
Barber,	Hooker,	Sams,
Blitch,	McCaskill,	Wadsworth,
Bynum,	McCreary,	Wilson—23.
Carson,	McLin,	
Crill,	Myers,	

Nays—None.

So the bill passed, title as stated.

Mr. McCreary moved that the rules be waived and that Senate Bill No. 50 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 50 was so certified.

Senate Bill No. 41:

A bill to be entitled an act to cause to be audited and paid the account of James C. Porter, proprietor and manager of the Ocala Evening Star, a newspaper published in the City of Ocala, Florida, his charges for publishing the tax sales list of real estate once each week for four consecutive weeks, of Marion County, State of Florida, for the year A. D. 1896, based on warrant of assessment made under the provisions of Chapter 4332, Laws of Florida, for the year 1896.

Was taken up and read the third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—	Carson,	McLin,
Messrs—	Crosby,	O'Brien,
Baker,	Dimick,	Roberts,
Blitch,	Harris,	Sams—12.
Bynum,	Hooker,	

Nays—Messrs—

Crill,	Palmer of 14th,	Wilson—5.
McCaskill,	Wadsworth,	

So the bill passed, title as stated.

Mr. Barber was excused from voting.

Mr. McCreary was excused from voting.

A message was received from the House of Representatives.

Senate Bill No. 85:

A bill to be entitled an act to continue the powers, rights, privileges and grants of the Atlantic and Gulf Railway Company.

Was taken up and read the third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—Mr. President,

Messrs. Baker,	Dimick,	Palmer of 14th,
Barber,	Harris,	Roberts,
Blitch,	Hooker,	Sams,

Bynum,
Carson,
Crill,
Crosby,

McCaskill,
McCreary,
McLin,
O'Brien,

Wadsworth,
Wilson—20.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 67:

A bill to be entitled an act confirming the rights, powers and franchises of the Tropical Development and Navigation Company of Florida, and granting aid thereto, approved May 25, 1895.

Was taken up.

Mr. Hooker moved that Senate Bill No. 67 be placed back on second reading for amendment.

Which was agreed to.

And Senate Bill No. 67 was placed back on Calendar of bills on second reading.

House Bill No. 40:

To be entitled an act to prevent habitual drunkards or persons addicted to the use of opium, chlorad, cocaine or any of their preparations or any drug or substance calculated to deprive a person of his reason, from practicing medicine, surgery or obstetrics in the State of Florida.

Was taken up and read the third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—Messrs—

Barber,

Carson,

Harris—3.

Nays—

Mr. President,

Dimick,

O'Brien,

Messrs. Baker,

Hooker,

Palmer of 14th,

Blitch,

McCaskill,

Roberts,

Bynum,

McCreary,

Sams,

Crill,

McLin,

Wadsworth,

Crosby,

Myers,

Wilson—18.

So the bill failed to pass.

House Bill No. 49:

To be entitled an act to keep in repair all public roads and bridges and to open any roads and to condemn the right of way for same in the County of Brevard, State of Florida, and giving to said county certain rights and privileges authorizing the levy of a special tax in each commissioner's district and providing the method by which said tax shall be levied and expended.

Was taken up and read the third time in full.

Mr. Carson asked unanimous consent to amend House Bill No. 49 on third reading;

Which was granted.

Mr. Carson offered the following amendment to House Bill No. 49:

Strike out words in beginning of title "a bill entitled" and insert the following "a bill to be entitled."

Mr. Carson moved the adoption of the amendment.

Which was unanimously agreed to.

Upon call of the roll on the passage of the bill, as amended,

The vote was:

Yeas—Mr. President,

Messrs—	Crosby,	Myers,
Baker,	Chaires,	O'Brien,
Barber,	Denham,	Palmer of 14th,
Blitch,	Dimick,	Roberts,
Broome,	Hooker,	Sams,
Bynum,	McCaskill,	Wadsworth,
Carson,	McCreary,	Wilson—23.
Crill,	McLin,	

Nays—None.

So the bill passed, title as amended.

Senate Bill No. 74:

A bill to be entitled an act to amend Chapter 4065 (No. 56), Laws of Florida, Acts 1891, entitled an act to keep in repair all public roads and bridges and to open new roads in the County of Orange and State of Florida.

Was taken up.

Mr. Carson moved that he be allowed to substitute,

House Bill No. 125:

To be entitled an act to amend Chapter 4065 (No. 56), Laws of Florida, Acts 1891, entitled an act to keep in repair all public roads and bridges and to open new roads in the County of Orange and State of Florida.

Which was read a second time this morning and amended, for Senate Bill No. 74;

Which was agreed to by a two-thirds vote.

Mr. Carson moved that the constitutional provision requiring the reading of bills on three separate days, be waived and that House Bill No. 125, as amended, be taken up and now considered,

Which was agreed to by a two-thirds vote.

And,

House Bill No. 125:

To be entitled an act to amend Chapter 4065 (No. 56) of Florida, Acts 1891, entitled an act to keep in repair all public roads and bridges and to open new roads in the County of Orange and State of Florida.

As amended was taken up and read a third time in full and put upon its passage.

Upon call of the roll on the passage of the bill, as amended,

The vote was:

Yeas—Mr. President,

Messrs—	Crosby,	Palmer of 14th,
Baker,	Hooker,	Roberts,
Barber,	McCaskill,	Sams,
Blitch,	McCreary,	Wadsworth,
Bynum,	McLin,	Wilson—19.
Carson,	Myers,	
Crill,	O'Brien,	

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 90:

A bill to be entitled an act to provide for keeping all public roads and streets in the limits of cities and towns having less than three thousand inhabitants in good repair.

Was taken up and read the third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—Mr. President,

Messrs—	Dimick,	O'Brien,
Messrs. Baker,	Gaillard,	Palmer of 14th,
Barber,	Harris,	Roberts,
Blitch,	Hooker,	Sams,
Bynum,	McCaskill,	Wadsworth,
Carson,	McCreary,	Wilson—22.
Crill,	McLin,	
Crosby,	Myers,	

Nays—None.

So the bill passed, title as stated.

Mr. Bynum moved that the Senate adjourn until 10 o'clock A. M. Wednesday.

Mr. O'Brien moved to adjourn until 11 o'clock A. M. tomorrow.

Mr. Bynum's motion was agreed to.

Thereupon the Senate stood adjourned until Wednesday at 10 o'clock.